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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**FEDERAL TRADE COMMISSION,**  
Plaintiff,  
v.  
**INTERCONTINENTAL EXCHANGE,  
INC.**  
and  
**BLACK KNIGHT, INC.,**  
Defendants.

Case No. 3:23-cv-01710-AMO

**JOINT STIPULATION REGARDING  
WITHDRAWAL OF WITNESS MAYUR  
KAPANI AND FTC'S MOTION IN  
LIMINE**

July 24, 2023, 9 a.m.  
July 25, 2023, 9 a.m.  
July 26, 2023, 9 a.m.

Judge: Hon. Araceli Martínez-Olguín

1 WHEREAS, Defendants Intercontinental Exchange, Inc. (“ICE”) and Black Knight, Inc.  
2 (“Black Knight,” and together with ICE, “Defendants”), on June 30, 2023, consistent with the  
3 scheduling order in this matter, served as part of their direct evidence submissions a written  
4 declaration from Mr. Kapani (*see* ECF No. 118);

5 WHEREAS, Plaintiff, the Federal Trade Commission (“FTC”), on June 30, 2023,  
6 submitted a motion in limine to exclude the testimony of Mayur Kapani (ECF No. 169-1); AND

7 WHEREAS, Defendants have agreed to stipulate to the relief sought in the FTC’s motion  
8 in order to preserve the resources of the Parties and the Court:

9 IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties  
10 that:

11 (1) Defendants will not call Mayur Kapani to testify at the preliminary injunction  
12 hearing in this matter and will withdraw the declaration of Mr. Kapani served on June 30, 2023;  
13 and

14 (2) This provides the relief sought in the FTC’s Motion, which is now moot.

15  
16 Dated: July 6, 2023

17 FEDERAL TRADE COMMISSION

MORGAN, LEWIS & BOCKIUS LLP

18 By: /s/ Abby L. Dennis

By: /s/ Minna Lo Naranjo

19 Abby L. Dennis

Minna Lo Naranjo

20 Peter Richman  
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22 Abigail Wood  
23 Daniel Aldrich  
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*Attorneys for Defendant  
Black Knight, Inc.*

1 **Local Rule 5-1(h)(3) Attestation**

2 Pursuant to N.D. Cal. Local Rule 5-1(h)(3), the undersigned attests that each of the other  
3 signatories to this document have concurred in the filing of this document.

4  
5 Dated: July 6, 2023

By: */s/ Minna Lo Naranjo*

6 Minna Lo Naranjo  
MORGAN, LEWIS & BOCKIUS LLP

7 *Attorney for Defendant*  
8 *Intercontinental Exchange, Inc.*

9  
10 **Proof of Service**

11 I, Minna Lo Naranjo, hereby certify that on July 6, 2023, I electronically filed the  
12 document entitled **JOINT STIPULATION REGARDING WITHDRAWAL OF WITNESS**  
13 **MAYUR KAPANI AND FTC'S MOTION IN LIMINE** with the Clerk of the Court for the  
14 United States District Court for the Northern District of California using the CM/ECF system and  
15 served a copy of same upon all counsel of record via the Court's electronic filing system.

16  
17 Dated: July 6, 2023

By: */s/ Minna Lo Naranjo*

18 Minna Lo Naranjo  
MORGAN, LEWIS & BOCKIUS LLP

19 *Attorney for Defendant*  
20 *Intercontinental Exchange, Inc.*

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